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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,831	09/19/2003	Gregory J. May	200300696-1	6035

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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

MOON, SEOKYUN

ART UNIT	PAPER NUMBER
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2629

NOTIFICATION DATE	DELIVERY MODE
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07/28/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/665,831	Applicant(s) MAY, GREGORY J.	
	Examiner SEOKYUN MOON	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-36 is/are allowed.
- 6) ☒ Claim(s) 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remark

1. The subject matter disclosed in the specification of the instant Application might be different and distinguishable from the prior arts of record, but Examiner respectfully submits that the Applicant has failed to present such subject matter sufficiently in the claims.

Response to Arguments

2. The Applicant's arguments regarding the claim limitation, "*optically addressable display*", have been fully considered but they are not persuasive.

The Applicant argued, "*Sahouani fails to disclose that the liquid crystal display is optically addressable*".

Examiner respectfully disagrees.

Any one of a liquid crystal display and an EL display is optically addressable in a sense that each of the displays creates an image by selectively addressing light transmission of each of the pixels included in the display.

3. The Applicant's arguments with respect to newly added subject matter in claim 37 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 37** is rejected under 35 U.S.C. 103(a) as being unpatentable over Nire (US 5,289,171) in view of Sahouani (US 2003/0184862) and Shodo (US 6,404,137).

Nire teaches an optically addressable display ("*a color display apparatus*" which includes an EL panel) [col. 3 lines 30-31] comprising:

at each pixel,

encoding data onto each of separate color data channels (applying a voltage to each of the EL elements corresponding to each of R, G, B color channels) [fig. 1a]; and

means (a combination of "*color filter section 2*" and "*EL element section 1*") [fig. 1a] for actively producing plural color displays, on for each of the separate color data channels.

Nire does not expressly teach each of the separate color data channels to correspond to each of a plurality of polarizations.

However, Sahouani [par. (0066) lines 6-19] teaches a concept of introducing one of a plurality of polarizations to one of separate color data channels.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the display of Nire to introduce one of a plurality of polarizations to one of separate color data channels, as taught by Sahouani, in order to allow to transmit one color in one polarization state and to absorb all other light of that polarization and thus to improve the display quality.

Nire as modified by Sahouani does not teach means for receiving emissions having a plurality of polarizations and responding to each of the plurality of polarizations.

However, Shodo teaches a concept of including means ("*light receiving element 2*") [fig. 1] for receiving emissions having a plurality of colors and responding to each of the plurality of colors, in each of a plurality of pixels of an optically addressable display [col. 3 lines 21-31].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the display of Nire as modified by Sahouani to include means for receiving emissions having a

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plurality of colors and responding to each of the plurality of colors in each of the plurality of pixels of the display, as taught by Shodo, in order to control the intensity of the light emitted from the light emitting element and thus to optimize the display function [col. 3 lines 21-31].

Nire as modified by Sahouani and Shodo inherently teaches that the means for receiving emissions having a plurality of colors and responding to each of the plurality of colors receives emissions having a plurality of polarizations and responds to each of the plurality of polarizations since each of the plurality polarizations assigns to each of the plurality of colors.

Allowable Subject Matter

6. **Claims 1-36** are allowed.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEOKYUN MOON whose telephone number is (571)272-5552. The examiner can normally be reached on Mon - Fri (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

July 17, 2008

/S. M./

Examiner, Art Unit 2629

/Sumati Lefkowitz/

Supervisory Patent Examiner, Art Unit 2629